IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. 149 OF 1992

Uniplas India Ltd. & Ors. ... Plaintiffs

Vs.

M/s. China Ocean Shipping Co. Defendants

Mr. D.B.Parab for Plaintiffs.

None for Defendants.

CORAM: S.K.SHAH,J.

DATE : 19th July,2006.

P.C.

1. This is an undefended suit against the defendants.

2. The learned Counsel for the Plaintiffs has filed the affidavit of evidence as also the documents in support of the plaintiffs' claim.

3. The suit is for recovery of the amount for short-delivery of the consignment. The allegations made in the plaint have been proved. They have gone uncontroverted and they are supported by the affidavit of evidence as also documents in support of the claim.

The suit is, therefore, decreed as per the provisions of Order VIII Rule 10 of the C.P.C.

4. The Defendants shall pay to the Plaintiffs a sum of Rs.2,59,796/- with interest thereon at the rate of 9% per annum from the date of the filing of the suit till the date of Judgment and at the rate of 6% per annum from the date of Judgment till realisation of the same. The Defendants shall also pay to the Plaintiffs costs of the suit.

Decree be drawn accordingly.

(S.K.SHAH,J.)